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Resolution NO. 180

A Resolution Establishing a Policy Regarding Flag Display.

BATTLE CREEK, MICHIGAN - 7/6/2021

Resolved by the Commission of the City of Battle Creek:

Whereas, the City Commission desires to establish a policy regarding: (1) the display of the United States Flag, the Michigan State Flag, and the City of Battle Creek flag at City facilities; and (2) the display of commemorative flags on city property; and

Whereas, in adopting this policy, the City Commission declares that the City's flagpoles are not intended to serve as a forum for free expression of the public, but rather for the display of Federal, State, and City Flags, or the temporary replacement of the City Flag with any commemorative flag as may be authorized by resolution of the City Commission as an expression of the City's official sentiments; and

Whereas, the United States Flag, the Michigan State Flag, and the City of Battle Creek Flag shall be displayed as may be required by law and in accordance with this policy; and

Whereas, no other flag shall be placed above the United States Flag; and

Whereas, commemorative flags may be displayed only as authorized by resolution of the City Commission and as an expression of the City's official sentiments and, as such, commemorative flags shall be displayed for a period of time that is reasonable or customary for the subject that is to be commemorated, but no longer than thirty (30) continuous days; and

Whereas, the City will not display a commemorative flag based on a request from a third party, nor will the City use its flagpoles to sponsor the expression of a third party; and

Whereas, at no time will the City of Battle Creek display flags supporting discrimination, prejudice, or religious movements; and

Whereas, flags shall be displayed as follows: The United States Flag shall be displayed in the first position of honor, the Michigan State Flag shall be placed in the second position of honor, the City of Battle Creek Flag shall be placed in the third position of honor. Commemorative flags, when authorized by the City Commission for a period of less than thirty (30) consecutive days, shall be displayed in the third position of honor, temporarily replacing the City of Battle Creek flag; and

Whereas, if all flags are displayed on one flagpole, the order from top to bottom shall be: the United States Flag, the Michigan State Flag, the City of Battle Creek Flag, and then commemorative flags.

Now therefore, be it resolved that the City of Battle Creek adopt this as its policy on the display of flags on city property.

I, Victoria Houser, City Clerk of the City of Battle Creek, hereby certify the above and foregoing is a true and correct copy of a Resolution adopted by the Battle Creek City Commission at a Regular meeting held on July 6, 2021.

Victoria L. Houser
Victoria Houser

Battle Creek City Commission
7/6/2021
Action Summary

Staff Member: Jill Humphreys Steele, City Attorney

Department: City Attorney

SUMMARY

A Resolution Establishing a Policy Regarding Flag Display.

BUDGETARY CONSIDERATIONS

There are none.

HISTORY, BACKGROUND and DISCUSSION

Several state statutes exist governing the dates and manner of display of the United States Flag and the State of Michigan flag, including: MCL 2.91 Designation of official flag month; handling and displaying flag, and MCL 2.27, mandating the display of the United States flag and the state flag upon the capitol building during the daily sessions of the legislature and of the supreme court, and on public occasions.

There are no statutes governing the display of the City flag. The City believes that the display of flags in or outside City facilities should be in accordance with a set policy. The attached Resolution would establish a policy and guidelines for flying the City flag as well as setting out when and how various commemorative flags might be flown.

DISCUSSION OF THE ISSUE

POSITIONS

The City Manager supports the establishment of a policy regarding the display of flags.

ATTACHMENTS:

File Name

Description

No Attachments Available



Editorial Staff <citizensaudit@gmail.com>

Request for Response for Display of Flags

2 messages

Editorial Staff <citizensaudit@gmail.com>

Sun, Jul 28, 2024 at 4:22 PM

To: "markbehne@aol.com" <markbehne@aol.com>, slsofia@battlecreekmi.gov, rdballard@battlecreekmi.gov, jdlance@battlecreekmi.gov, jmmorris@battlecreekmi.gov, paodonnell@battlecreekmi.gov, ccreynolds@battlecreekmi.gov, ccsimmons@battlecreekmi.gov, jwsmith@battlecreekmi.gov
Bcc: barrywayneadams@juno.com, brian@dailyclout.io

Dear Mayor and Commission,

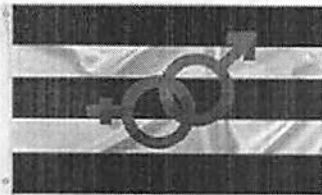
I am writing for clarification and positive response to my two previous requests made on the public record to have the Calhoun County T.E.A. Party flag and the Revolutionary War Appeal To Heaven Flag fly at city hall. I have not received any communication regarding my public requests to have these flags flown at city hall.

Additionally, I am also requesting that the attached "Straight Pride" Flag be allowed to fly at city hall in accordance to Resolution 180 of 2021.

Please provide a prompt response with your reason to this constitutionally based issue so that I know the status of my requests.

Sincerely,

Autumn Smith
Battle Creek



StraightPrideFlag.jpg
5K

Jake W. Smith <jwsmith@battlecreekmi.gov>

Mon, Jul 29, 2024 at 8:20 AM

To: Editorial Staff <citizensaudit@gmail.com>

Good morning Autumn, as we've previously discussed, I will not be sponsoring any flag resolutions this term.

Jake Smith

At-Large

City of Battle Creek
City Commission

10 North Division Street
Battle Creek, Michigan 49014

jwsmith@battlecreekmi.gov

<http://www.battlecreekmi.gov>



From: Editorial Staff <citizensaudit@gmail.com>

Sent: Sunday, July 28, 2024 4:22 PM

To: markbehnke@aol.com <markbehnke@aol.com>; Sherry L. Sofia <slsofia@battlecreekmi.gov>; Roger D. Ballard <rdballard@battlecreekmi.gov>; James D. Lance <jdlance@battlecreekmi.gov>; Jenasia M. Morris <jmmorris@battlecreekmi.gov>; Patrick O'Donnell <paodonnell@battlecreekmi.gov>; Carla C. Reynolds <ccreynolds@battlecreekmi.gov>; Christopher C. Simmons <ccsimmons@battlecreekmi.gov>; Jake W. Smith <jwsmith@battlecreekmi.gov>

Subject: Request for Response for Display of Flags

Email sent from outside of the City of Battle Creek. Use caution before clicking links/attachments.

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